

Membership Balance Plan
Board of Visitors of the U.S. Air Force Academy

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, under the provisions of 10 United States Code (U.S.C.) § 9355, the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended), and 41 CFR § 102-3.50(a) (required by statute), established the Board of Visitors of the U.S. Air Force Academy (hereinafter referred to as the “the Board”).
2. Mission/Function: The Board shall provide to the Secretary of Defense and Deputy Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives independent advice and recommendations on matters relating to the U.S. Air Force Academy (hereinafter referred to as “the Academy”), to include morale, discipline, social climate, the curriculum, instruction, physical equipment, fiscal affairs, academic methods, and other matters relating to the Academy that the Board decides to consider. The Board shall recommend appropriate action.

The Board shall prepare a semiannual report containing its views and recommendations pertaining to the Academy, based on its meeting since the last such report and any other considerations it determines relevant. Each such report shall be submitted concurrently to the Secretary of Defense, through the Secretary of the Air Force, and to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

3. Points of View: Pursuant to the provisions of 10 U.S.C. § 9355, the Board shall be constituted annually and composed of 15 members. The members shall be chosen by the individuals listed and in the manner discussed in paragraph five below.

Each member, based upon his or her individual and professional experiences, provides his or her best judgment on the matters before the Board, and he or she does so without representing any particular point of view and in a manner that is free from conflict of interest.

4. Other Balance Factors: N/A.
5. Candidate Identification Process: The Board, under the provisions of 10 U.S.C. § 9355 (a) and (b)(2), shall be composed of the following individuals:
 - a. Six persons designated by the President, at least two of whom shall be graduates of the Academy;
 - b. The Chairperson of the Committee on Armed Services of the House of Representatives, or designee;
 - c. Four persons designated by the Speaker of the House of Representatives, three of whom shall be members of the House of Representatives and the fourth of whom may not be a member of the House of Representatives;

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- d. The Chairperson of the Committee on Armed Services of the Senate, or designee; and,
- e. Three other members of the Senate designated by the Vice President or the President pro tempore of the Senate, two of whom are members of the Committee on Appropriations of the Senate.

Board members designated by the President shall serve for three years each, except that any member whose term of office has expired shall continue to serve until a successor is appointed. In addition, the President shall designate persons each year to succeed the members whose terms expire that year.

If a member of the Board dies, resigns, or is terminated, a successor shall be designated for the unexpired portion of the term by the official who designated the member.

If a member of the Board fails to attend two successive Board meetings, except in a case in which an absence is approved in advance for good cause by the Board Chairperson, such failure shall be grounds for termination from membership on the Board, pursuant to 10 U.S.C. § 9355(c)(2)(A) (hereinafter referred to as “absenteeism provision”).

Termination of membership on the Board pursuant to the absenteeism provision, in the case of a member of the Board who is not a member of Congress, may be made by the Board’s Chairperson; and in the case of a member of the Board who is a member of Congress, may be made only by the official who designated the member. When a member of the board is subject to termination from membership on the Board under the absenteeism provision, the Board’s Chairperson shall notify the official who designated the member. Upon receipt of such a notification with respect to a member of the Board who is a member of Congress, the official who designated the member shall take such action, as that official considers appropriate.

Those members of the Board who are full-time or permanent part-time Federal officers or employees shall be appointed as regular government employees or *ex officios*. Those members of the Board who are not full-time or permanent part-time Federal officers or employees shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and shall serve as special government employees.

Following the appointments, the candidates are required to complete the necessary appointment paperwork, to include meeting ethics requirements stipulated by the Office of Government Ethics for advisory committee members.

Upon approval by the Secretary of the Air Force, the Board, pursuant to 10 U.S.C § 9355 (g), may call in advisers for consultation who shall be appointed as experts and consultants under 5 U.S.C. § 3109 and serve as special government employees.

- 6. Subcommittee Balance: The Department, when necessary, and consistent with the Board’s mission and DoD policies/procedures, may establish subcommittees, task groups, or working groups to support the Board.

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Subcommittee members shall be appointed by the Secretary of Defense according to governing DoD policies/procedures, even if the members in question are already a Board members. Subcommittee members who are full-time or permanent part-time Federal officers or employees shall be appointed as regular government employees or *ex officios*.

Subcommittee members who are not full-time or part-time Federal officers or employees shall be appointed to serve as experts and consultants under the authority of 5 U.S.C. § 3109 and shall serve as special government employees. Subcommittee members, with the approval of the Secretary of Defense, may serve a term of service on the Subcommittee of one-to-four years; however, no member shall serve more than two consecutive terms of service on the Subcommittee unless otherwise authorized by the Secretary of Defense. All Subcommittee member appointments must be renewed on an annual basis.

7. Other: The DoD adheres to the rules and regulations issued by the Office of Government Ethics and the Administration's prohibition against registered Federal lobbyists.
8. Prepared: November 26, 2012